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ADMINISTRATION OF UNION TERRITORY OF LADAKH

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Ladakh Communication and Connectivity Infrastructure Amendment Policy, 2022

NOTIFICATION

Ladakh the, 9th of February, 2023.

S.O.06- In exercise of the powers conferred, the **5G State Telecom Committee/5G Working Committee** hereby makes the following policy further to amend the LCCIR20, namely:

- (1) Ladakh Communication and Connectivity Infrastructure Rules, 2020 (LCCIR20) will be called **Ladakh Communication and Connectivity Infrastructure Policy, 2020 (LCCIP20)**.

- (2) This amendment of policy may be called the **Ladakh Communication and Connectivity Infrastructure (Amendment) Policy, 2022.**
- (3) They shall come into force on the date of their Notification.

1) Under Chapter II (Establishment and Maintenance of Underground Telegraph Infrastructure) point no. 5.3 of the said policy, shall be read as

(5.3) Damages to roads or other such damages during the laying of underground telegraph infrastructure and their connectivity with houses will be repaired by the Licensee within ten (10) days and the entire expenses, for restoration of damaged road and other such damages shall be borne by the Licensee. Where, the Licensee fails to restore the damages, the same shall be repaired/restored by the local bodies /Appropriate Authority. Charges of the damages shall be fixed by UT Administration from time to time, on the basis of applicable schedule of rates for works of similar nature. The Schedule of Rates (SoR) and guidelines as applicable in UT of Ladakh shall be followed for calculating the restoration charges. Such Restoration Charges (100%) shall be deposited in the advance within period of 30 days from the grant of permission and prior to the commencement of work of laying the underground telegraph infrastructure. The said amount will be refunded back to the licensee after adjusting the expense incurred by the concerned Area/Appropriate Authority, if any within 15 days from the date of completion of repair restoration of work project

Restoration charges will be sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area

2) Under Chapter II (Grant of permission by appropriate authority) after point no. 7.4 of the said policy, shall be read as,

Where the Appropriate Authority accepts the undertaking by the Licensee to discharge the responsibility to restore the damage that such Appropriate Authority shall necessarily be put in consequence of the work, the Appropriate Authority, while granting permission, may seek a bank guarantee for an amount in lieu of expenses for restoration of such damage, as security for performance in the discharge of the responsibility. Bank guarantee would be 20% of the sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area. This shall be in addition to restoration Charges as per Para 5.3 of these policy.

3) In Chapter III- Establishment and Maintenance of Over- Ground Telegraph Infrastructure, after point no (12.7) of the said policy, the following clause shall be inserted, namely: –

(12.8) Usage of street furniture for installation of small cells and telegraph line-

- i. A licensee shall for the purpose of installation of small cell and telegraph line submit an application, along with details of street furniture and a copy of certification by a structural engineer authorised by the appropriate authority, attesting to the structural safety of the street furniture where installation of small cells and telegraph line is proposed to be deployed, to the appropriate authority for permission to use street furniture for installation of small cells and telegraph line.
- ii. The application shall be accompanied with such fee as may be determined by the appropriate authority to meet administrative expenses for examination of the application, which shall be Five hundred rupees per pole (Uncovered Areas) and one thousand rupees per pole (Other areas) in **Annexure-A (Schedule of Rates for establishment of Overground and Underground Telecom Infrastructures)** of the Schedule.

4) In Chapter III- Establishment and Maintenance of Over- Ground Telegraph Infrastructure, after point no (12.8) of the said policy, the following clause shall be inserted, namely: –

(12.9) Establishment of overground telegraph infrastructure. -

Sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area. Further, licensee shall restore the damage incurred in case of establishment of poles for installation of Small Cells and telegraph line.

5) In Chapter III- Establishment and Maintenance of Over- Ground Telegraph Infrastructure, after 13.8 of the said policy, the following clause shall be inserted, namely;

(13.9) Establishment of telegraph infrastructure over private property.

Where the licensee proposes the establishment of overground telegraph infrastructure over any private property, the licensee shall not require any permission from the appropriate authority:

- I. Provided that in case of establishment of mobile tower or pole over a private building or structure, the licensee shall submit an intimation, in writing, to the appropriate authority, prior to commencement of such establishment:
- II. Provided further that along with the intimation, he shall also submit the details of the building or structure, where the establishment of mobile tower or pole is proposed, and a copy of certification by a structural engineer, authorised by the appropriate authority, attesting to the structural safety of the building or structure, where the mobile tower or pole is proposed to be established.

6) In Chapter III- Establishment and Maintenance of Over- Ground Telegraph Infrastructure, after 14.6 of the said policy, the following clause shall be inserted, namely;

14.7 Street furniture for installation of small cells and telegraph line-

The appropriate authority shall, within a period not exceeding thirty days from the date of application made, grant permission or reject the application for reasons to be recorded in writing:

- I. Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard on the reasons for such rejection:
- II. Provided further that the permission shall be deemed to have been granted if the appropriate authority fails to either grant permission or reject the application.

14.8 The appropriate central authority may permit the installation of small cells on their buildings and structures.

14.9 The appropriate central authority means the Central Government or the authority, body, company or institution, incorporated or established by the Central Government, in respect of property, under, over, along, across, in or upon which underground or overground telegraph infrastructure, is to be established or maintained, vested in, or under, the control or management of such Government, authority, body, company or institution.

7) In Chapter VI- Dispute Resolution, after 23.3 of the said policy, the following policy shall be inserted, namely;

23.4 Hon'ble LG, UT Ladakh will have the authority to waive off the schedule of rates for the establishment of Telecom Infrastructures on the recommendation of the State Telecom Committee, UT Ladakh

8) Under Annexure A: (Schedule of Rates for establishment of Overground and Underground Telecom Infrastructures) shall be read as,

One Time Charges			
S No.	Purpose	Amount in Rs.	Whom to be remitted
1.	Laying of Underground OFC/ Co-axial cables.	<ul style="list-style-type: none"> • 500 (in Uncovered Areas per km) • 1000 (in other areas per km) 	<p>As per the territorial boundary of Municipalities and Gram Panchayats.</p> <p><u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil.</p> <p><u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p>
2.	Erection of Mobile/ Communication Towers	<ul style="list-style-type: none"> • 5000 (in Uncovered Areas per Tower). • 10,000 (in other areas per Tower) 	<p>As per the territorial boundary of Municipalities and Gram Panchayats.</p> <p><u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil.</p> <p><u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p> <p>OR</p> <p>To the concerned Department (in case of Govt. Department-owned land, building)</p>
3.	For establishment of Overground Telecom Infrastructure (Application Fee)	1000	Appropriate Authority (DCs)

Rental Charges			
S No.	Purpose	Amount in Rs.	Whom to be remitted
1.	Laying of Overhead Communication Cables Using Poles.	<ul style="list-style-type: none"> • 250 (in Uncovered Areas per poles per annum) • 500 (in other areas per poles per annum) 	<p>As per the territorial boundary of Municipalities and Gram Panchayats.</p> <p><u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil.</p>

			<p><u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p> <p>OR</p> <p>To the concerned Department (in case of Govt. Department-owned land, building</p>
2.	Erection of Mobile/ Communication Towers	<ul style="list-style-type: none"> • Shall not exceed Rs. 5,000 (in Uncovered Areas per tower per month) As per circle rates however not to exceed Rs 5,000. • Shall not exceed Rs.10,000 (in other areas per tower per month) As per circle rates however not to exceed Rs 10,000. 	<p>As per the territorial boundary of Municipalities and Gram Panchayats.</p> <p><u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil.</p> <p><u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p> <p>OR</p> <p>To the concerned Department (in case of Govt. Department-owned land, building</p>
3.	Installation of temporary overground infrastructure (Cell on Wheels)	<ul style="list-style-type: none"> • No fees (in Uncovered Areas) • 1,000 (in other areas per such tower per month). 	<p>As per the territorial boundary of Municipalities and Gram Panchayats.</p> <p><u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil.</p> <p><u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p> <p>OR</p> <p>To the concerned Department (in case of Govt. Department-owned land, building</p>

9) After Annexure A: (Schedule of Rates for establishment of Overground and Underground Telecom Infrastructures) the following clause shall be inserted: -

Annexure-B Schedule of Rates for small cells and telegraph lines using the street furniture.

One Time Charges			
S. No.	Purpose	Amount in Rs.	Whom to be remitted
1	For establishment of overground telegraph infrastructure (for the establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of the appropriate central authority.)	Nil	Nil
2	For establishment of overground telegraph infrastructure (for establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of appropriate authority, other than appropriate central authority)	<ul style="list-style-type: none"> • 500 per pole (Uncovered Areas) • 1000 per pole (Other areas) 	<p>As per the territorial boundary of Municipalities and Gram Panchayats.</p> <p><u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil.</p> <p><u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p> <p>OR</p> <p>To the concerned Department (in case of Govt. Department-owned land, building, street furniture etc.)</p>
3	For installation of small cells and telegraph line using the street furniture	No charge would be levied for mobilization of small cells and telegraph lines using the street furniture.	Nil

Rental Charges

S. No	Purpose	Amount in Rs.	Whom to be remitted
1	Establishment of underground telegraph infrastructure.	Nil	Nil
2	Establishment of poles for installation of small cells and telegraph line	Nil	Nil
3	Usage of street furniture for installation of small cells and telegraph.	<ul style="list-style-type: none"> Rs 300 (in urban areas per street furniture per annum) Rs 150 (in rural areas per street furniture per annum) 	<p>As per the territorial boundary of Municipalities and Gram Panchayats. <u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil. <u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p> <p>OR</p> <p>To the concerned Department (in case of Govt. Department-owned land, building, street furniture etc.)</p>
4	Installation of telegraph line	<ul style="list-style-type: none"> Rs 100 (per street furniture per annum) 	<p>As per the territorial boundary of Municipalities and Gram Panchayats. <u>For Municipalities:</u> Executive Officer, Municipal Committee of respective districts of Leh and Kargil. <u>For Gram Panchayats.</u> ACDs of respective districts of Leh and Kargil.</p> <p>OR</p> <p>To the concerned Department (in case of Govt. Department-owned land, building, street furniture etc.)</p>

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